THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.15574 OF 2006

DATED 15th SEPTEMBER, 2006

BETWEEN

Mohammed Haneef

… Petitioner

and

The District Collector, Medak District, Sanga Reddy and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.15574 OF 2006

ORDER:

The petitioner filed the instant writ petition seeking a direction to A.P.State Wakf Board to appoint Mutawalli for Durga Hazrath Mahboob Subhani situated Allipur village, Zaheerabad Mandal in Medak District. He alleges that respondents 4 to 7 are usurped the control of the Darga illegally, and therefore, there is an urgent necessity to appoint on Mutawalli statedly made a representation on 05.04.2006 to the District Collector, which is pending.

At the stage of admission itself, the learned standing counsel submits that as and when representation is made by the petitioner for appointment of Mutawalli for the wakf in question, the same will be considered.

Section 53 of the Wakf Act, 1995 imposes a duty on the A.P.State Wakf Board to appoint a person to act as Mutawalli when there is vacancy in the office of the Mutawalli of the Wakf and there is no one to appoint under the terms of the deed of the wakf. Therefore, liberty is given to the petitioner to make a representation to A.P.State Wakf Board, Nampally, Hyderabad within a period of ten days from the date of receipt of copy of this order. As and when such representation is made, the A.P.State Wakf Board may consider the same and pass appropriate orders.

The writ petition is accordingly disposed of. No costs.

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(V.V.S.RAO,J)

15.09.2006.
pln

Note: Send a copy of this order to the
Special Officer, A.P.State Wakf Board,
Nampally, Hyderabad.
(By order)
pln